

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA ex rel. DAVID  
KESTER, et al.,

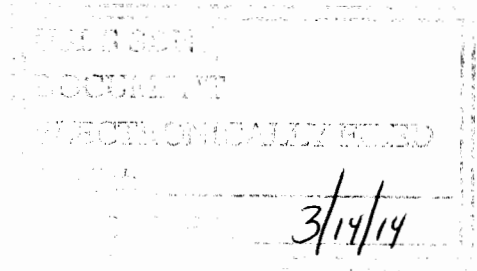
Plaintiffs,

v.

NOVARTIS PHARMACEUTICAL  
CORPORATION, et al.,

Defendants.

No. 1-11-cv-08196-CM



~~PROPOSED~~ ORDER

Upon consideration of Plaintiff David Kester's Motion for Dismissal of Certain Claims of the United States and the State Plaintiffs, and good cause appearing therefore in light of the failure of the federal and state plaintiffs to intervene in these claims, the public purposes served by the false claims law of the government plaintiffs, and the best interests of the parties,

IT IS HEREBY ORDERED that the following claims in this action are dismissed without prejudice pursuant to Fed. R. Civ. Pr. 41(a)(2): all claims against Defendants Amerisource Bergen Corporation, Express Scripts, Medco Health Solutions, Inc. and Walgreen Company .

IT IS SO ORDERED, this 14<sup>th</sup> of March, 2014.

  
UNITED STATES DISTRICT JUDGE